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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,669	04/18/2006	Peter Lauer	AP 10587	4674

7590 11/14/2006

Gerlinde M Nattler  
Craig Hallacher  
Continental Teves Inc  
One Continental Drive  
Auburn Hills, MI 48326

EXAMINER

TSAL, CAROL S W

ART UNIT

PAPER NUMBER

2857

DATE MAILED: 11/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/539,669

Applicant(s)

LAUER ET AL.

Examiner

Carol S. Tsai

Art Unit

2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 June 2005.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 8-14 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 8,9 and 11 is/are rejected.  
7) ☒ Claim(s) 10 and 12-14 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 14 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_.

## 5DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 8, 9, and 11 are rejected under 35 U.S.C. 102(a) as being anticipated by U. S. Publication 2004/0178897 to Fennel et al.

With respect to claims 8, 9, and 11, Fennel et al. disclose a method for automatically determining installation positions of wheels in a motor vehicle, the method comprising: receiving tire pressure monitoring system data (TPMS) from a direct measure tire pressure monitoring system, wherein the direct measure tire pressure monitoring system having tire pressure measuring devices and transmitting devices for transferring the TPMS data containing tire pressure values and identification numbers of individual wheels; receiving deflation detection data from an indirect measuring tire pressure monitoring system determining deflation detection data from rotational behavior of the individual wheels, said deflation data containing pressure changes and installation positions; and determining correlation coefficients from the TPMS data and the deflation data by means of a correlation function (see Fig. 1; paragraphs 0002, 0003, 0009 and 0010, and claims 1-11).

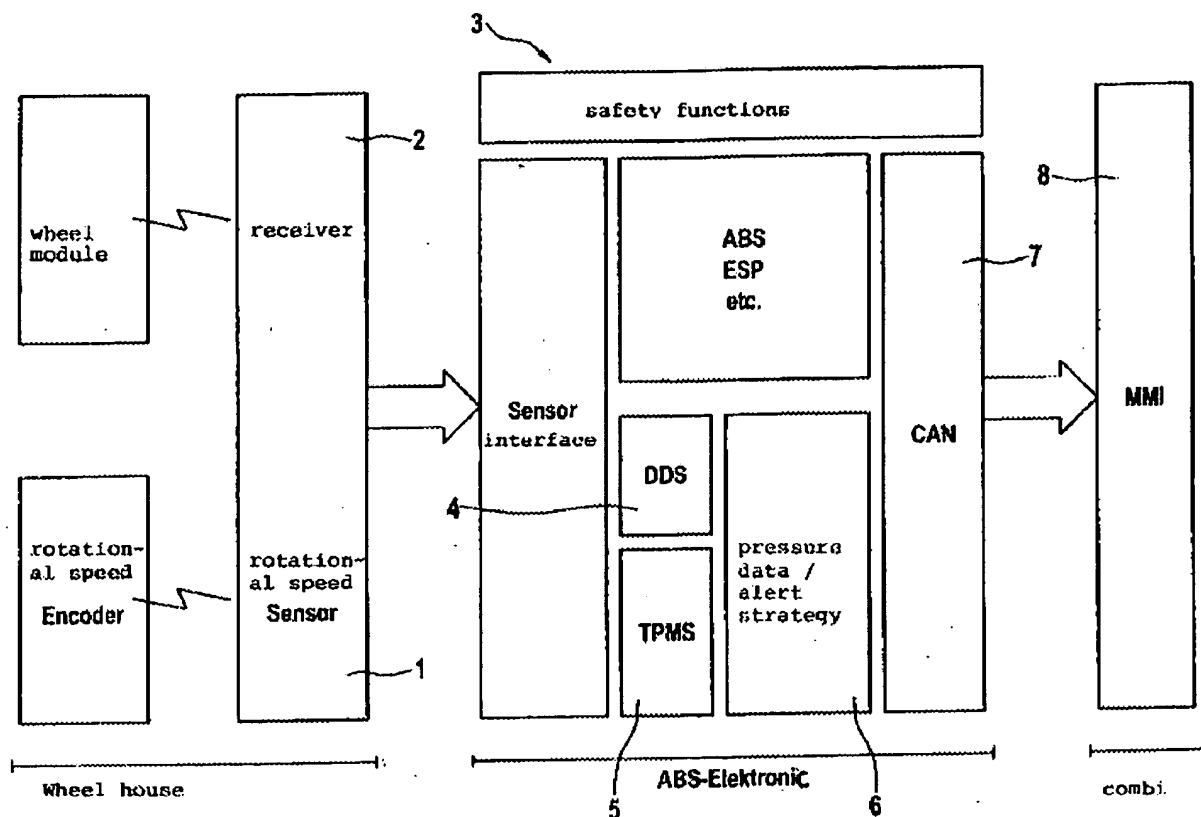


Fig. 1

### Allowable Subject Matter

3. Claims 10 and 12-14 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2857

Agrotis discloses relative speed of each of the tires of a vehicle is monitored as an indication of the operating state of the vehicle, wherein if the vehicle is not operating in one of a number of predetermined states, the relative speed is monitored as an indication of relative pressure of the vehicle tires, and further wherein differences in relative speed not related to the predetermined states, and not related to differences in relative pressure, are accounted for.

Schofield et al. disclose a self training tire pressure monitoring system for a vehicle including at least two pressure sensors, at least two wheel sensors and a control.

Inoue et al. disclose a tire abnormality sensor for sensing abnormality of tires of a vehicle.

Mori et al. disclose a tire inflation pressure sensing apparatus including a plurality of transmitters, each of which is provided on one of a plurality of wheels of a vehicle, and a receiver provided on a body of the vehicle.

Osborne et al. disclose a system for remotely sensing the temperature and pressure in vehicle tires whether moving or stationary.

### ***Contact Information***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carol S. Tsai whose telephone number is (571) 272-2224. The examiner can normally be reached on M-F(8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached on (571) 272-2216. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

cswt

November 9, 2006

Art Unit 2857

  
CAROL S.W. TSAI  
PRIMARY EXAMINER